

## **Item SP04-22 Response Form**

**Title:** Family Law: Privacy Notices (approve new form FL-316; revise forms FL-100, FL-103, FL-120, FL-123, FL-142, FL-150, FL-160, FL-344, and FL-345)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **only if modified**
- ☐ **Do not agree** with proposed changes

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

Please **write** or **fax** or **respond using the Internet** to:

**Address:** Ms. Romunda Price,  
Judicial Council, 455 Golden Gate Avenue,  
San Francisco, CA 94102  
**Fax:** (415) 865-7664      **Attention:** Romunda Price  
**Internet:** [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment)

**DEADLINE FOR COMMENT: 5:00 P.M Friday, August 20, 2004**

Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee. All comments will become part of the public record of the council's action.*

Title	Family Law: Privacy Notices (approve new form FL-316; revise forms FL-100, FL-103, FL-120, FL-123, FL-142, FL-150, FL-160, FL-344, and FL-345)
Summary	Urgency legislation enacted on June 7, 2004, requires the Judicial Council to add notices to family law forms that parties may redact their social security numbers from all written materials in their case other than forms to enforce child or spousal support. The legislation further requires the council to add a question on forms in which parties list their assets and debts regarding whether identifying information is available on those forms. This question is designed to allow either party to request that the form containing such identifying information be placed under seal. The attached forms include these required changes.
Source	Family and Juvenile Law Advisory Committee Hon. Mary Ann Grilli and Hon. Susan D. Huguenor, Co-chairs
Staff	Bonnie Hough, 415-865-7668, bonnie.hough@jud.ca.gov
Discussion	<p>Assembly Bill 782 (Stats. 2004, ch. 45 [Kehoe]) was chaptered as urgency legislation on June 7, 2004. It repealed Family Code section 2024.5, which required the Judicial Council to develop a form to be filed with any petition or first responsive pleading in a dissolution, legal separation, or nullity action that lists the social security numbers (known to the party) of the petitioner, the respondent, and any minor child of the parties. Form FL-102, <i>Confidential Declaration of Social Security Numbers (Family Law)</i>, which was designed to meet that requirement and was approved by the Judicial Council to go into effect July 1, 2004, was repealed by the council on June 23, 2004. AB 782 also added new Family Code sections 2024.5 and 2024.6.</p> <p>New Family Code section 2024.5 provides that a party may redact any social security number from any written material filed with the court regarding a petition for dissolution of marriage, nullity, or legal separation. The section directs that the “Judicial Council form used to file such a petition, or a response to such a petition, shall contain a notice that the parties may redact any social security numbers from those pleadings, attachments, documents, or other material filed with the court.” Family Code section 2024.5(b) makes an exception to prevent a party from redacting a social security number on an <i>Abstract of Support Judgment</i> (form FL-480) or any similar form created for the purpose of collecting child or spousal support payments.</p> <p>The Family and Juvenile Law Advisory Committee proposes that the <i>Petition (Family Law)</i> (form FL-100) and <i>Response (Family Law)</i> (form FL-120) be revised to provide notices to the parties that they may redact their social security numbers from any written material filed with the court in their case other than on a form used to collect child or spousal support. Five other</p>

changes are proposed to those forms.

The first additional change is to move the notice regarding the interest charged on delinquent child support from the first page to the second page, item 7 of the *Petition* and item 10 of the *Response*, where it will follow the notice regarding ordering child support.

The second is to delete item 5(b) regarding community property which provides an option for a party to state that “All such assets and debts have been disposed of by written agreement.” Under Family Code section 2105, the parties must exchange final declarations of disclosure or waive those declarations before they can enter into an agreement for the resolution of property or support orders, other than temporary support. Under Family Code section 2104, they can not serve a preliminary declaration for disclosure until the service of the *Petition*. Thus, this item is misleading.

The third proposed change is to modify the requests at item 7(c) in the *Petition* and 9(c) in the *Response* regarding child visitation to indicate that the parties may file attachments regarding more specific custody and visitation options.

A fourth change would be to clarify at item 8 in the *Petition* and item 10 in the *Response* that in order to make orders regarding child support, that the court will need additional information regarding the finances of the parties. This is designed to address a concern raised that parties incorrectly assume based on the current language that the court will make child support orders on its own motion.

The fifth change is to add a new item 7 to the *Response* (FL-120) to allow the respondent to allege that there never was a legal marriage.

The committee also proposes that domestic partnership forms be similarly revised. While Family Code section 2045.5 specifically refers only to petitions for dissolution of marriage, nullity of marriage, or legal separation, Family Code section 299(d), which becomes effective January 1, 2005, provides that “the dissolution of a domestic partnership, nullity of a domestic partnership, and legal separation of partners in a domestic partnership shall follow the same procedures, and the partners shall possess the same rights, protections, and benefits, and be subject to the same responsibilities, obligations, and duties, as apply to the dissolution of marriage, nullity of marriage, and legal separation of spouses in a marriage...”. Proposed forms to implement this section were circulated in the spring 2004 cycle and are not scheduled to be presented to the council for adoption until October 2004. The committee proposes that forms *Petition-Domestic Partnership (Family Law)* (form FL-103) and *Response-Domestic Partnership (Family Law)*

(form FL-123), contain the same notices regarding social security numbers and otherwise be conformed to the petition and response for dissolution, legal separation, and nullity of marriage.

One additional change is suggested to the *Petition-Domestic Partnership (Family Law)* (form FL-103) and *Response-Domestic Partnership (Family Law)* (form FL-123). This is a new item 2 that would allow those persons who entered into domestic partnerships outside the state of California to indicate that they have met the same residency requirements as married persons. Persons who have entered into domestic partnerships in California have specifically consented to the jurisdiction of the Superior Court of California under Family Code section 298, and Family Code section 299(d) provides that they may file for dissolution, nullity or legal separation in California even if neither domestic partner is a resident of, or maintains a domicile in, the state at the time the proceedings are filed.

New Family Code section 2024.6(b) requires that the Judicial Council form used to declare the assets and liabilities of the parties in a proceeding for dissolution of marriage, nullity of marriage, or legal separation of the parties must require the party filing the form to state whether it contains identifying information on the assets and liabilities listed.

The Judicial Council forms used for this purpose are the *Property Declaration (Family Law)* (form FL-160) and *Schedule of Assets and Debts (Family Law)* (form FL-142). An additional question is proposed for the *Property Declaration*, asking the person completing the form whether it contains identifying information about the assets and debts listed. However, the *Schedule of Assets and Debts* is designed as an attachment to *Form Interrogatories (Family Law)* (form FL-145) or the *Declaration of Disclosure* (form FL-140) neither of which are filed with the court. Without identifying information, it would not be particularly helpful, thus, a warning is being added to the form that it should not be filed with the court.

The *Income and Expense Declaration* (form FL-150) requests information regarding the debts that the litigant is paying, including to whom the debt is owed, and the balance of the debt. An additional question would be added to determine whether identifying information is contained in the declaration. The admonition on the first and second pages of the form to cross out the social security number on paystubs submitted as an attachment would be in bold. The *Financial Statement-Simplified* (form FL-155) requests no information about the debts of the parties and already has the warning regarding crossing out social security numbers on attached paystubs in bold, so no changes are recommended for that form.

Two additional Judicial Council forms, *Property Order Attachment to Findings and Order After Hearing (Family Law)* (FL-344) and *Property*

*Order Attachment to Judgment (Family Law)* (FL-345) may contain identifying information about or location of the assets and debts of a party. An additional question is proposed for each form asking the person completing the form whether it contains identifying information about the assets and debts listed.

New Family Code section 2024.6(a) provides that “[u]pon request by a party to a petition for dissolution of marriage, nullity of marriage, or legal separation, the court shall order a pleading that lists the parties’ financial assets and liabilities and provides the location or identifying information about those assets and liabilities sealed. The request may be made by ex parte application.” To assist parties to seal the affected documents, the committee proposes new optional form *Ex Parte Application to Seal Financial Forms In Court File (Family Law)* (form FL-316). This form is designed to state the basis for the application and list the specific forms to be sealed. It assists court clerks in locating the forms and makes it clear that that the entire file is not to be sealed. It will also help clarify that this procedure for sealing is one of the exceptions noted in California Rule of Court 243.1(a)(2).

The proposed forms are attached at pages 5–26.

Attachments

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):</div> <div>FAX NO. (Optional):</div> </div>	<b>FOR COURT USE ONLY</b>  <div style="font-size: 24pt; font-weight: bold;">DRAFT 7 7/28/04 xyz</div>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER:  RESPONDENT:	
<b>EX PARTE APPLICATION TO SEAL FINANCIAL FORMS</b>	CASE NUMBER:

1. I am the ☐ Petitioner ☐ Respondent ☐ Other (specify): \_\_\_\_\_, in this case.
  
2. I request that the family law forms and other written documents, which are listed below, be sealed because they contain location or identifying information about my assets or debts.  

Name of form or written document	Date filed
a.	
b.	
c.	
d.	
e.	
f.	
  
3. I have provided copies of all these documents to the other party in this case.
  
4. I have given notice to the other party in this case. My proof of service of ex parte notice is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

(TYPE OR PRINT NAME)

▶

SIGNATURE OF PARTY

**ORDER**

Upon reviewing the listed documents, it appears that they contain location or identifying information about the parties assets or debts. Therefore, following Family Code § 2024.6, it is ordered that the documents listed above be sealed.

Date: \_\_\_\_\_

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):     <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO. (Optional):</div> </div> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	<b>FOR COURT USE ONLY</b>   <h1 style="margin: 0;">DRAFT 5</h1> <h1 style="margin: 0;">7.28.04 xyz</h1>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
DOMESTIC PARTNERSHIP OF PETITIONER:  RESPONDENT:	
<b>PETITION FOR</b> <input type="checkbox"/> <b>Dissolution of Marriage</b> <input type="checkbox"/> <b>Legal Separation</b> <input type="checkbox"/> <b>Nullity of Marriage</b> <div style="float: right; margin-top: 10px;"><input type="checkbox"/> <b>AMENDED</b></div>	CASE NUMBER:

1. RESIDENCE (Dissolution only) ☐ Petitioner ☐ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition for Dissolution of Marriage*.

2. STATISTICAL FACTS

- a. Date of marriage: \_\_\_\_\_ c. Period between marriage and separation  
 b. Date of separation: \_\_\_\_\_ Years: \_\_\_\_\_ Months: \_\_\_\_\_

3. DECLARATION REGARDING MINOR CHILDREN (include children of this relationship born prior to or during the marriage or adopted during the marriage):

- a. ☐ There are no minor children.  
 b. ☐ The minor children are:

<u>Child's name</u>	<u>Birth date</u>	<u>Age</u>	<u>Sex</u>
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☐ Continued on Attachment 3b.

- c. If there are minor children of the Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
- d. ☐ A completed voluntary declaration of paternity regarding minor children born to the Petitioner and Respondent prior to the marriage is attached.

4. DECLARATION REGARDING SEPARATE PROPERTY ASSETS AND DEBTS AS CURRENTLY KNOWN

- ☐ Petitioner requests confirmation as separate property assets and debts the items listed  
☐ in Attachment 4. ☐ below Confirm to  
Item

**NOTICE: You may redact (cross out) social security numbers from any written material filed with the court in this case other than a form used to collect child or spousal support.**

MARRIAGE OF ( <i>last name, first name of parties</i> ):  _____	CASE NUMBER:  _____
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5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.  
b. ☐ All such assets and debts are listed ☐ in Attachment 5b. ☐ below (*specify*):

6. **Petitioner requests**

- |  |  |
|--|--|
| <p>a. <input type="checkbox"/> Dissolution of the marriage based on<br/> (1) <input type="checkbox"/> irreconcilable differences. Fam. Code, § 2310(a)<br/> (2) <input type="checkbox"/> incurable insanity. Fam. Code, § 2310(b)</p> <p>b. <input type="checkbox"/> Legal separation of the parties based on<br/> (1) <input type="checkbox"/> irreconcilable differences. Fam. Code, § 2310(a)<br/> (2) <input type="checkbox"/> incurable insanity. Fam. Code, § 2310(b)</p> <p>c. <input type="checkbox"/> Nullity of void marriage based on<br/> (1) <input type="checkbox"/> incestuous marriage. Fam. Code, § 2200<br/> (2) <input type="checkbox"/> bigamous marriage. Fam. Code, § 2201</p> | <p>d. <input type="checkbox"/> Nullity of voidable marriage based on<br/> (1) <input type="checkbox"/> Petitioner's age at time of marriage. Fam. Code, § 2210(a)<br/> (2) <input type="checkbox"/> prior existing marriage. Fam. Code, § 2210(b)<br/> (3) <input type="checkbox"/> unsound mind. Fam. Code, § 2210(c)<br/> (4) <input type="checkbox"/> fraud. Fam. Code, § 2210(d)<br/> (5) <input type="checkbox"/> force. Fam. Code, § 2210(e)<br/> (6) <input type="checkbox"/> physical incapacity. Fam. Code, § 2210(f)</p> |
|--|--|

7. **Petitioner requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- |  | Petitioner               | Respondent               | Joint                    | Other                    |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E)<br><input type="checkbox"/> Attachment 7c. |                          |                          |                          |                          |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage.  |                          |                          |                          |                          |
| e. Spousal support payable to (earnings assignment will be issued) .....   | <input type="checkbox"/> | <input type="checkbox"/> |                          |                          |
| f. <input type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Respondent.   |                          |                          |                          |                          |
| g. Attorney fees and costs payable by .....  | <input type="checkbox"/> | <input type="checkbox"/> |                          |                          |
| h. <input type="checkbox"/> Property rights be determined.   |                          |                          |                          |                          |
| i. <input type="checkbox"/> Petitioner's former name be restored ( <i>specify</i> ):   |                          |                          |                          |                          |
| j. <input type="checkbox"/> Other ( <i>specify</i> ):<br><input type="checkbox"/> Continued on Attachment 7j.  |                          |                          |                          |                          |

8. **Child Support**—If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

9. **I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

\_\_\_\_\_  
(SIGNATURE OF ATTORNEY FOR PETITIONER)

**NOTICE:** Dissolution or legal separation may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement benefit plan, power of attorney, pay on death bank account, transfer on death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement benefit plans, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your spouse or a court order (see Family Code sections 231–235).



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):      <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO. :</div> <div>FAX NO. (Optional):</div> </div> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	<b>FOR COURT USE ONLY</b>   <h1 style="margin: 0;">DRAFT 16</h1> <h1 style="margin: 0;">7.27.04 XYZ</h1>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
DOMESTIC PARTNERSHIP OF PETITIONER:  RESPONDENT:	
<b>PETITION FOR</b> <input type="checkbox"/> <b>Dissolution of Domestic Partnership</b> <input type="checkbox"/> <b>Legal Separation of Domestic Partnership</b> <input type="checkbox"/> <b>Nullity of Domestic Partnership</b> <div style="float: right; margin-top: -40px;"><input type="checkbox"/> <b>AMENDED</b></div>	CASE NUMBER:

## 1. STATISTICAL FACTS

- a. Date of registration of domestic partnership or equivalent:
- b. Date of separation:
- c. Period between registration of domestic partnership and separation (*specify*): Years:                      Months:

## 2. RESIDENCE (Partnerships established out of state only)

- a. ☐ Our domestic partnership was established in another state (*specify state*):
- b. ☐ Petitioner ☐ Respondent has been a resident of this state of California for at least six months and of this county for at least three months immediately preceding the filing of this *Petition for Dissolution of Domestic Partnership*.

3. DECLARATION REGARDING MINOR CHILDREN (*include children of this relationship born prior to or during this domestic partnership or adopted during this domestic partnership*):

- a. ☐ There are no minor children.
- b. ☐ The minor children are:
- | <u>Child's name</u> | <u>Birthdate</u> | <u>Age</u> | <u>Sex</u> |
|---------------------|------------------|------------|------------|
|                     |                  |            |            |

☐ Continued on Attachment 3b.

- c. If there are minor children of the petitioner and respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.

## 4. DECLARATION REGARDING SEPARATE PROPERTY ASSETS AND DEBTS AS CURRENTLY KNOWN

- ☐ **Petitioner requests** confirmation as separate property assets and debts the items listed
- ☐ in Attachment 4. ☐ below:
- | <u>Item</u> | <u>Confirm to</u> |
|-------------|-------------------|
|             |                   |

**NOTICE: You may redact (cross out) social security numbers from any written material filed with the court in this case other than a form used to collect child or partner support.**

DOMESTIC PARTNERSHIP OF (Last name, first name of each party):  	CASE NUMBER:  
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5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.  
b. ☐ All such assets and debts are listed ☐ in Attachment 5b. ☐ below (specify):

6. **Petitioner requests**

- |   |  |
|---|--|
| <p>a. <input type="checkbox"/> dissolution of the domestic partnership based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. (Fam. Code, § 2310(a).)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> incurable insanity. (Fam. Code, § 2310(b).)</p> <p>b. <input type="checkbox"/> legal separation of the domestic partnership based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. (Fam. Code, § 2310(a).)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> incurable insanity. (Fam. Code, § 2310(b).)</p> <p>c. <input type="checkbox"/> nullity of void domestic partnership based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> incest. (Fam. Code, § 2200.)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> bigamy. (Fam. Code, § 2201.)</p> | <p>d. <input type="checkbox"/> nullity of voidable domestic partnership based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> petitioner's age at time of registration of domestic partnership. (Fam. Code, § 2210(a).)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> prior existing marriage or domestic partnership. (Fam. Code, § 2210(b).)</p> <p style="margin-left: 20px;">(3) <input type="checkbox"/> unsound mind. (Fam. Code, § 2210(c).)</p> <p style="margin-left: 20px;">(4) <input type="checkbox"/> fraud. (Fam. Code, § 2210(d).)</p> <p style="margin-left: 20px;">(5) <input type="checkbox"/> force. (Fam. Code, § 2210(e).)</p> <p style="margin-left: 20px;">(6) <input type="checkbox"/> physical incapacity. (Fam. Code, § 2210(f).)</p> |
|---|--|

7. **Petitioner requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- |   | Petitioner               | Respondent               | Joint                    | Other                    |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation granted to .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) |                          |                          |                          |                          |
| <input type="checkbox"/> <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 7c.            |                          |                          |                          |                          |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the domestic partnership.   |                          |                          |                          |                          |
| e. Attorney fees and costs payable by .....   | <input type="checkbox"/> | <input type="checkbox"/> |                          |                          |
| f. Partner support payable to .....   | <input type="checkbox"/> | <input type="checkbox"/> |                          |                          |
| g. <input type="checkbox"/> Terminate court's jurisdiction (ability) to award partner support to respondent.                                      |                          |                          |                          |                          |
| h. <input type="checkbox"/> Property rights be determined.  |                          |                          |                          |                          |
| i. <input type="checkbox"/> Petitioner's former name be restored (specify):   |                          |                          |                          |                          |
| j. <input type="checkbox"/> Other (specify):  |                          |                          |                          |                          |

☐ Continued on Attachment 7j.

8. **Child support**—If there are minor children who were born to or adopted by the petitioner and respondent before or during this domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

9. **I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

\_\_\_\_\_  
(SIGNATURE OF ATTORNEY FOR PETITIONER)

**NOTICE:** Dissolution or legal separation may automatically cancel the rights of a domestic partner under the other domestic partner's will, trust, retirement benefit plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner as beneficiary of the other domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement benefit plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your domestic partner or a court order (see Fam. Code, §§ 231–235).

- NOTICE: You may redact (cross out) social security numbers from any written material filed with the court in this case other than a form used to collect child or spousal support.**

MARRIAGE OF <i>(last name, first name of parties)</i> :  _____	CASE NUMBER:  _____
--	---------------------------

**5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN**

- a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.
- b. ☐ All such assets and debts are listed ☐ in Attachment 5b. ☐ below (*specify*): \_\_\_\_\_

6. ☐ **Respondent contends** that there is a reasonable possibility of reconciliation.
7. ☐ **Respondent contends** that the parties were never legally married.
8. ☐ **Respondent denies** the grounds set forth in item 6 of the petition.

**9. Respondent requests**

- |  |  |
|--|--|
| <p>a. <input type="checkbox"/> Dissolution of the marriage based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. Fam. Code, § 2310(a)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> incurable insanity. Fam. Code, § 2310(b)</p> <p>b. <input type="checkbox"/> Legal separation of the parties based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. Fam. Code, § 2310(a)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> incurable insanity. Fam. Code, § 2310(b)</p> <p>c. <input type="checkbox"/> Nullity of void marriage based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> incestuous marriage. Fam. Code, § 2200</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> bigamous marriage. Fam. Code, § 2201</p> | <p>d. <input type="checkbox"/> Nullity of voidable marriage based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> Respondent's age at time of marriage. Fam. Code, § 2210(a)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> prior existing marriage. Fam. Code, § 2210(b)</p> <p style="padding-left: 20px;">(3) <input type="checkbox"/> unsound mind. Fam. Code, § 2210(c)</p> <p style="padding-left: 20px;">(4) <input type="checkbox"/> fraud. Fam. Code, § 2210(d)</p> <p style="padding-left: 20px;">(5) <input type="checkbox"/> force. Fam. Code, § 2210(e)</p> <p style="padding-left: 20px;">(6) <input type="checkbox"/> physical incapacity. Fam. Code, § 2210(f)</p> |
|--|--|

**10. Respondent requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

	Petitioner	Respondent	Joint	Other
a. Legal custody of children to .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Physical custody of children to .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Child visitation be granted to .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

As requested in form: ☐ FL-311 ☐ FL-312 ☐ FL-341(C) ☐ FL-341(D) ☐ FL-341(E) ☐ Attachment 10c.

- d. ☐ Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage.
- e. Spousal support payable to (wage assignment will be issued) ..... ☐ ☐
- f. ☐ Terminate the court's jurisdiction (ability) to award spousal support to Petitioner.
- g. Attorney fees and costs payable by ..... ☐ ☐
- h. ☐ Property rights be determined.
- i. ☐ Respondent's former name be restored
- j. ☐ (*specify*): Other (*specify*): \_\_\_\_\_

☐ Continued on Attachment 10j.

11. If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

<p>Date: _____</p> <p>_____</p> <p style="text-align: center; font-size: small;">(TYPE OR PRINT NAME)</p>	<p style="text-align: center;">▶</p> <p>_____</p> <p style="text-align: center; font-size: small;">(SIGNATURE OF RESPONDENT)</p>
<p>Date: _____</p> <p>_____</p> <p style="text-align: center; font-size: small;">(TYPE OR PRINT NAME)</p>	<p style="text-align: center;">▶</p> <p>_____</p> <p style="text-align: center; font-size: small;">(SIGNATURE OF ATTORNEY FOR RESPONDENT)</p>

**The original response must be filed in the court with proof of service of a copy on Petitioner.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):     TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>   <h1 style="margin: 0;">DRAFT 16</h1> <h2 style="margin: 0;">7.27.04 xyz</h2>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
DOMESTIC PARTNERSHIP OF PETITIONER:  RESPONDENT:	
<b>RESPONSE</b> <input type="checkbox"/> <b>and REQUEST FOR</b> <input type="checkbox"/> <b>Dissolution of Domestic Partnership</b> <input type="checkbox"/> <b>Legal Separation of Domestic Partnership</b> <input type="checkbox"/> <b>Nullity of Domestic Partnership</b> <input type="checkbox"/> <b>AMENDED</b>	CASE NUMBER:

1. STATISTICAL FACTS
  - a. Date of registration of domestic partnership:
  - b. Date of separation:
  - c. Period between registration of domestic partnership and separation (*specify*): Years: \_\_\_\_\_ Months: \_\_\_\_\_
2. RESIDENCE (Partnerships established out of state only)
  - a. ☐ Our domestic partnership was established in another state (*specify state*): \_\_\_\_\_
  - b. ☐ Petitioner ☐ Respondent has been a resident of this state of California for at least six months and of this county for at least three months immediately preceding the filing of this *Petition for Dissolution of Domestic Partnership*.
3. DECLARATION REGARDING MINOR CHILDREN (*include children of this relationship born prior to or during this domestic partnership or adopted during this domestic partnership*):
  - a. ☐ There are no minor children.
  - b. ☐ The minor children are:
 

<u>Child's name</u>	<u>Birthdate</u>	<u>Age</u>	<u>Sex</u>

☐ Continued on Attachment 3b.

  - c. If there are minor children of the petitioner and the respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
4. DECLARATION REGARDING SEPARATE PROPERTY ASSETS AND DEBTS AS CURRENTLY KNOWN
 

☐ **The respondent requests** confirmation as separate property assets and debts the items listed  
☐ in Attachment 4. ☐ below:  

<u>Item</u>	<u>Confirm to</u>

**NOTICE: You may redact (cross out) social security numbers from any written material filed with the court in this case other than a form used to collect child or partner support.**

DOMESTIC PARTNERSHIP OF <i>(Last name, first name of each party):</i>	CASE NUMBER:
---	--------------

5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.

b. ☐ All such assets and debts are listed ☐ in Attachment 5b. ☐ below (*specify*):

6. ☐ **The respondent contends** that there is a reasonable possibility of reconciliation.

7. ☐ **The respondent contends** that there is not a valid domestic partnership or equivalent.

8. ☐ **The respondent denies** the grounds set forth in item 6 of the petition.

9. **The respondent requests**

a. ☐ dissolution of the domestic partnership based on

(1) ☐ irreconcilable differences. (Fam. Code, § 2310(a).)

(2) ☐ incurable insanity. (Fam. Code, § 2310(b).)

b. ☐ legal separation of the domestic partners based on

(1) ☐ irreconcilable differences. (Fam. Code, § 2310(a).)

(2) ☐ incurable insanity. (Fam. Code, § 2310(b).)

c. ☐ nullity of void domestic partnership based on

(1) ☐ incest. (Fam. Code, § 2200.)

(2) ☐ bigamy. (Fam. Code, § 2201.)

d. ☐ nullity of voidable domestic partnership based on

(1) ☐ respondent's age at time of domestic partnership. (Fam. Code, § 2210(a).)

(2) ☐ prior existing marriage or domestic partnership. (Fam. Code, § 2210(b).)

(3) ☐ unsound mind. (Fam. Code, § 2210(c).)

(4) ☐ fraud. (Fam. Code, § 2210(d).)

(5) ☐ force. (Fam. Code, § 2210(e).)

(6) ☐ physical incapacity. (Fam. Code, § 2210(f).)

10. **The respondent requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

	Petitioner	Respondent	Joint	Other
a. Legal custody of children to .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Physical custody of children to .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Child visitation granted .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> as requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C)				
<input type="checkbox"/> <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 10c.				
d. <input type="checkbox"/> <b>Determination of parentage of any children born to the petitioner and respondent prior to the domestic partnership.</b>				
e. Attorney fees and costs payable by .....	<input type="checkbox"/>	<input type="checkbox"/>		
f. Partner support payable to .....	<input type="checkbox"/>	<input type="checkbox"/>		
g. <input type="checkbox"/> Terminate court's jurisdiction (ability) to award partner support to the petitioner.				
h. <input type="checkbox"/> Property rights be determined.				
i. <input type="checkbox"/> Respondent's former name be restored ( <i>specify</i> ):				
j. <input type="checkbox"/> Other ( <i>specify</i> ):				

☐ Continued on Attachment 10j.

11. If there are minor children who were born to or adopted by the petitioner and the respondent before or during this domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Date:

\_\_\_\_\_  
(SIGNATURE OF RESPONDENT)

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF ATTORNEY FOR RESPONDENT)

**The original response must be filed in the court with proof of service of a copy on petitioner.**

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and Address</i> ):    ATTORNEY FOR ( <i>Name</i> ):	TELEPHONE NO.:
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>	
MARRIAGE OF PETITIONER:  RESPONDENT:	
<b>SCHEDULE OF ASSETS AND DEBTS</b> <input type="checkbox"/> Petitioner's <input type="checkbox"/> Respondent's	CASE NUMBER:

— INSTRUCTIONS —

List all your known community and separate assets or debts. Include assets even if they are in the possession of another person, including your spouse. If you contend an asset or debt is separate, put H or W in the first column (separate property) to indicate to whom you contend it belongs.

All values should be as of the date of signing the declaration unless you specify a different valuation date with the description. For additional space, use a continuation sheet numbered to show what item is being continued.

ITEM NO.	ASSETS-DESCRIPTION	SEP. PROP.	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
1.	REAL ESTATE ( <i>Give street addresses and attach copies of deeds with legal descriptions and latest lender's statement.</i> )			\$	\$
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES ( <i>Identify</i> )				
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc. ( <i>Identify</i> )				

ITEM NO.	ASSETS DESCRIPTION	SEP. PROP.	DATE ACQUIRED	FAIR MARKET VALUE	MONEY OWED OR ENCUMBRANCE
4.	VEHICLES, BOATS, TRAILERS <i>(Describe and attach copy of title document)</i>			\$	\$
5.	SAVINGS ACCOUNTS <i>(Account name, account number, bank, and branch. Attach copy of latest statement.)</i>				
6.	CHECKING ACCOUNTS <i>(Account name and number, bank, and branch. Attach copy of latest statement.)</i>				
7.	CREDIT UNION, OTHER DEPOSIT ACCOUNTS <i>(Account name and number, bank, and branch. Attach copy of latest statement.)</i>				
8.	CASH <i>(Give location.)</i>				
9.	TAX REFUND				
10.	LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE <i>(Attach copy of declaration page for each policy.)</i>				



ITEM NO.	ASSETS-DESCRIPTION	SEP. PROP.	DATE ACQUIRED	FAIR MARKET VALUE	MONEY OWED OR ENCUMBRANCE
11.	STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS <i>(Give certificate number and attach copy of the certificate or copy of latest statement.)</i>			\$	\$
12.	RETIREMENT AND PENSIONS <i>(Attach copy of latest summary plan documents and latest benefit statement.)</i>				
13.	PROFIT-SHARING, ANNUITIES, IRAS, DEFERRED COMPENSATION <i>(Attach copy of latest statement.)</i>				
14.	ACCOUNTS RECEIVABLE AND UNSECURED NOTES <i>(Attach copy of each.)</i>				
15.	PARTNERSHIPS AND OTHER BUSINESS INTERESTS <i>(Attach copy of most current K-1 form and schedule C.)</i>				
16.	OTHER ASSETS				
17.	TOTAL ASSETS FROM CONTINUATION SHEET				
18.	TOTAL ASSETS			\$	\$

ITEM NO.	DEBTS SHOW TO WHOM OWED	SEP. PROP.	TOTAL OWING	DATE INCURRED
19.	STUDENT LOANS <i>(Give details.)</i>		\$	
20.	TAXES <i>(Give details.)</i>			
21.	SUPPORT ARREARAGES <i>(Attach copies of orders and statements.)</i>			
22.	LOANS UNSECURED <i>(Give bank name and loan number and attach copy of latest statement.)</i>			
23.	CREDIT CARDS <i>(Give creditor's name and address and the account number. Attach copy of latest statement.)</i>			
24.	OTHER DEBTS <i>(specify):</i>			
25.	TOTAL DEBTS FROM CONTINUATION SHEET		\$	
26.	TOTAL DEBTS			

27. ☐ \_\_\_\_\_ pages are attached as continuation sheets.

28. This form ☐ does ☐ does not contain identifying information on the assets and debts listed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):    TELEPHONE NO.: ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<b>FOR COURT USE ONLY</b>  <div style="font-size: 2em; font-weight: bold; margin: 20px 0;">DRAFT 20</div> <div style="font-size: 2em; font-weight: bold; margin: 0 0 20px 0;">7/28/04 xyz</div>
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
<b>INCOME AND EXPENSE DECLARATION</b>	

1. **Employment.** (Give information on your current job or, if you're unemployed, your most recent job.)

**Attach one copy of pay stubs for last two months here (cross out social security numbers)**

- a. Employer:
- b. Employer's address:
- c. Employer's phone number:
- d. Occupation:
- e. Date job started:
- f. If unemployed, date job ended:
- g. I work about \_\_\_\_\_ hours per week.
- h. I get paid \$ \_\_\_\_\_ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8½-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1–Other Jobs" at the top.)

2. **Age and education**

- a. My age is (specify): \_\_\_\_\_
- b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (specify): \_\_\_\_\_
- c. Number of years of college completed (specify): \_\_\_\_\_ Degree(s) obtained (specify): \_\_\_\_\_
- d. Number of years of graduate school completed (specify): \_\_\_\_\_ Degree(s) obtained (specify): \_\_\_\_\_
- e. I have: ☐ professional/occupational license(s) (specify): \_\_\_\_\_  
☐ vocational training (specify): \_\_\_\_\_

3. **Tax information**

- a. ☐ I last filed taxes in (month): \_\_\_\_\_ (year): \_\_\_\_\_
- b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately  
☐ married, filing jointly with (specify name): \_\_\_\_\_
- c. I file state tax returns in ☐ California ☐ other (specify state): \_\_\_\_\_
- d. I claim the following number of exemptions (including myself) on my taxes (specify): \_\_\_\_\_

4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (specify): \$ \_\_\_\_\_  
 This estimate is based on (explain): \_\_\_\_\_

(If you need more space to answer any questions on this form, attach an 8½-by-11-inch sheet of paper and write the question number before your answer.)

5. Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. (Cross out your social security number on the pay stub and tax return.)

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)

	Last month	Average monthly
a. Salary or wages (gross, before taxes) . . . . .	\$ _____	_____
b. Overtime (gross, before taxes) . . . . .	\$ _____	_____
c. Commissions or bonuses . . . . .	\$ _____	_____
d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving . . . . .	\$ _____	_____
e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage . . . . .	\$ _____	_____
f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership . . . . .	\$ _____	_____
g. Pension/retirement fund payments . . . . .	\$ _____	_____
h. Social security retirement (not SSI) . . . . .	\$ _____	_____
i. Disability: <input type="checkbox"/> Social security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance . . . . .	\$ _____	_____
j. Unemployment compensation . . . . .	\$ _____	_____
k. Workers' compensation . . . . .	\$ _____	_____
l. Other (military BAQ, royalty payments, etc.) (specify): . . . . .	\$ _____	_____

6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)

a. Dividends/interest . . . . .	\$ _____	_____
b. Rental property income . . . . .	\$ _____	_____
c. Trust income . . . . .	\$ _____	_____
d. Other (specify): . . . . .	\$ _____	_____

7. **Income from self-employment, after business expenses for all businesses.** . . . . . \$ \_\_\_\_\_

I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify): \_\_\_\_\_

Number of years in this business (specify): \_\_\_\_\_

Name of business (specify): \_\_\_\_\_

Type of business (specify): \_\_\_\_\_

Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Cross off your social security number. If you have more than one business, provide the information above for each of your businesses.

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount): \_\_\_\_\_

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify): \_\_\_\_\_

10. **Deductions** . . . . . Last month

a. Required union dues . . . . .	\$ _____
b. Required retirement payments (not social security, FICA, 401k, or IRA). . . . .	\$ _____
c. Medical, hospital, dental, and other health insurance premiums (total monthly amount). . . . .	\$ _____
d. Child support that I pay for my other children from another relationship. . . . .	\$ _____
e. Spousal support that I pay by court order from a different marriage. . . . .	\$ _____
f. Partner support that I pay by court order from a different domestic partnership . . . . .	\$ _____
g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g") . . . . .	\$ _____

11. **Assets** . . . . . Total

a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts . . . . .	\$ _____
b. Stocks, bonds, and other assets I could easily sell . . . . .	\$ _____
c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe) . . . . .	\$ _____

PETITIONER/PLAINTIFF: — RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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**12. The following people live with me:**

Name	Age	How is the person related to you?	Gross monthly income	Pays some of the household expenses?	
a.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
b.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
c.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
d.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
e.				<input type="checkbox"/> Yes	<input type="checkbox"/> No

**13. Average monthly expenses**      ☐ Estimated expenses      ☐ Actual expenses      ☐ Proposed needs

- |  |   |
|--|---|
| <p>a. Home:</p> <p>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage... \$ _____</p> <p style="padding-left: 20px;">If mortgage, include:</p> <p style="padding-left: 40px;">(a) average principal: \$ _____ and</p> <p style="padding-left: 40px;">(b) average interest: \$ _____</p> <p>(2) Real property taxes ..... \$ _____</p> <p>(3) Homeowner's or renter's insurance (if not included above) ..... \$ _____</p> <p>(4) Maintenance and repair ..... \$ _____</p> <p>b. Health-care costs not paid by insurance... \$ _____</p> <p>c. Child care ..... \$ _____</p> <p>d. Groceries and household supplies..... \$ _____</p> <p>e. Eating out..... \$ _____</p> <p>f. Utilities (gas, electric, water, trash) ..... \$ _____</p> <p>g. Telephone, cell phone, and e-mail ..... \$ _____</p> | <p>h. Laundry and cleaning ..... \$ _____</p> <p>i. Clothes ..... \$ _____</p> <p>j. Education ..... \$ _____</p> <p>k. Entertainment, gifts, and vacation..... \$ _____</p> <p>l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) ..... \$ _____</p> <p>m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)... \$ _____</p> <p>n. Savings and investments..... \$ _____</p> <p>o. Charitable contributions..... \$ _____</p> <p>p. Monthly payments listed in item 14 (itemize below in 14 and insert total here)... \$ _____</p> <p>q. Other (specify): ..... \$ _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>r. <b>TOTAL EXPENSES</b> (a–q) (do not include amounts in a(1)(a) and (b)) \$ _____</p> </div> <p>s. <b>Amount of expenses paid by others</b> \$ _____</p> |
|--|---|

**14. Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

15. This form ☐ does ☐ does not contain identifying information on the assets and debts listed.

**16. Attorney fees** (This is required if either party is requesting attorney fees.)

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$ \_\_\_\_\_
- b. The source of this money was (specify): \_\_\_\_\_
- c. I still owe the following fees and costs to my attorney: \$ \_\_\_\_\_
- d. My attorney's hourly rate is (specify): \$ \_\_\_\_\_

I confirm this information and fee arrangement.

Date:

(TYPE OR PRINT NAME OF ATTORNEY)

(SIGNATURE OF ATTORNEY)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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### CHILD SUPPORT INFORMATION

(NOTE: Fill out this page only if your case involves child support.)

**17. Number of children**

- a. I have (*specify number*): \_\_\_\_\_ children under the age of 18 with the other parent in this case.  
b. The children spend \_\_\_\_\_ % of their time with me and \_\_\_\_\_ % of their time with the other parent.  
(*If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.*)

**18. Children's health-care expenses**

- a. ☐ I do ☐ I do not have health insurance for the children available to me through my job.  
b. Name of insurance company:  
c. Address of insurance company:  
d. The monthly cost for the **children's** health insurance is or would be (*specify*): \$  
(*Do not include the amount your employer pays.*)

**19. Additional expenses for the children in this case**

Amount per month

- a. Child care so I can work or get job training. . . . . \$ \_\_\_\_\_  
b. Children's health care not covered by insurance . . . . . \$ \_\_\_\_\_  
c. Travel expenses for visitation. . . . . \$ \_\_\_\_\_  
d. Children's educational or other special needs (*specify below*): . . . . . \$ \_\_\_\_\_

**20. Special hardships.** I ask the court to consider the following special financial circumstances  
(*attach documentation of any item listed here, including court orders*):

Amount per month

For how many months?

- a. Extraordinary health expenses not included in 19b. . . . . \$ \_\_\_\_\_  
b. Major losses not covered by insurance (examples: fire, theft, other insured loss) . . . . . \$ \_\_\_\_\_  
c. (1) Expenses for my minor children who are from other relationships and are living with me . . . . . \$ \_\_\_\_\_  
(2) Names and ages of those children (*specify*):

(3) Child support I receive for those children. . . . . \$ \_\_\_\_\_

The expenses listed in a, b, and c create an extreme financial hardship because (*explain*):

**21. Other information I want the court to know concerning support in my case (*specify*):**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):     TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY   <h1 style="margin: 0;">DRAFT 4</h1> <h1 style="margin: 0;">07/28/04</h1> <h1 style="margin: 0;">xyz</h1>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<h1 style="margin: 0;">DRAFT 4</h1> <h1 style="margin: 0;">07/28/04</h1> <h1 style="margin: 0;">xyz</h1>
<b>MARRIAGE OF</b> PETITIONER:  RESPONDENT:	
<input type="checkbox"/> <b>PETITIONER'S</b> <input type="checkbox"/> <b>RESPONDENT'S</b> <input type="checkbox"/> <b>COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION</b> <input type="checkbox"/> <b>SEPARATE PROPERTY DECLARATION</b>	
CASE NUMBER:	

**INSTRUCTIONS**

When this form is attached to the *Petition* or *Response*, values and your proposal regarding division need not be completed. Do not list community, including quasi-comm unity, property with separate property on the same form. Quasi-community property must be so identified. For additional space, use *Continuation of Property Declaration* (form FL-161).

ITEM NO.	BRIEF DESCRIPTION	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION AWARD TO	
					PETITIONER	RESPONDENT
1.	REAL ESTATE	\$	\$	\$	\$	\$
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES					
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc.					
4.	VEHICLES, BOATS, TRAILERS					
5.	SAVINGS, CHECKING, CREDIT UNION, CASH					

ITEM NO.	BRIEF DESCRIPTION	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION AWARD TO	
					PETITIONER	RESPONDENT
		\$	\$	\$	\$	\$
6.	LIFE INSURANCE (CASH VALUE)					
7.	EQUIPMENT, MACHINERY, LIVESTOCK					
8.	STOCKS, BONDS, SECURED NOTES					
9.	RETIREMENT, PENSION, PROFIT-SHARING, ANNUITIES					
10.	ACCOUNTS RECEIVABLE, UNSECURED NOTES, TAX REFUNDS					
11.	PARTNERSHIPS, OTHER BUSINESS INTERESTS					
12.	OTHER ASSETS AND DEBTS					
13.	TOTAL FROM CONTINUATION SHEET					
14.	TOTALS					

15. ☐ A *Continuation of Property Declaration* (form FL-1 61) is attached and incorporated by reference.

16. This form ☐ does ☐ does not contain identifying information on the assets and debts listed.

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and that the amounts shown are correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)



PETITIONER : RESPONDENT:	CASE NUMBER:
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**PROPERTY ORDER ATTACHMENT  
TO FINDINGS AND ORDER AFTER HEARING**

**THE COURT ORDERS**

1. ☐ **Property restraining orders**
- The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
  - The ☐ petitioner ☐ respondent must notify the other party of any proposed extraordinary expenses at least five business days before incurring such expenses, and make an accounting of such to the court.
  - The ☐ petitioner ☐ respondent is restrained from cashing, borrowing against, cancelling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor child or children.
  - The ☐ petitioner ☐ respondent must not incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2. ☐ **Possession of property.** The exclusive use, possession, and control of the following property that the parties own or are buying is given as specified:

Property

Given to

☐ See Attachment 2.

3. ☐ **Payment of debts.** Payments on the following debts that come due while this order is in effect must be paid as follows:

Total debt	Amount of payments	Pay to	Paid by
\$	\$		
\$	\$		
\$	\$		
\$	\$		

☐ See Attachment 3.

4. ☐ These are temporary orders only. The court will make final orders at the time of judgment.

5. ☐ Other (*specify*):

6. ☐ This form ☐ does ☐ does not contain identifying information on the assets and debts listed.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

## PROPERTY ORDER ATTACHMENT TO JUDGMENT

## 1. Division of community property assets

- a. ☐ There are no community property assets.
- b. ☐ The court finds that the net value of the community estate is less than \$5,000 and that the ☐ petitioner ☐ respondent cannot be found. Under Family Code section 2604, the entire community estate is awarded to the ☐ petitioner ☐ respondent.
- c. ☐ The petitioner will receive the following assets:  
(Attach additional page if necessary)
- d. ☐ The respondent will receive the following assets:  
(Attach additional page if necessary)

- e. The ☐ Petitioner ☐ Respondent will be responsible for preparing and filing a Qualified Domestic Relations Order (QDRO) to divide the following plan or retirement account(s) (specify):

The fee for preparation of the QDRO shall be shared as follows (specify):

- f. ☐ Other orders:

- g. ☐ Each spouse will receive the assets listed above as his or her sole and separate property. The parties must execute any and all documents required to carry out this division.

- h. The court reserves jurisdiction to divide any community assets not listed here and enforce the terms of this order.

## 2. Division of community property debts

- a. ☐ There are no community debts.
- b. ☐ All community debts have been paid by the ☐ petitioner ☐ respondent.  
The ☐ petitioner ☐ respondent must reimburse the other party \$ .  
The payment plan is as follows:
- c. ☐ The petitioner will be responsible for the following debts:  
(Attach additional page if necessary)
- d. ☐ The respondent will be responsible for the following debts:  
(Attach additional page if necessary)

PETITIONER: RESPONDENT:	CASE NUMBER:
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e. ☐ Other orders:

f. Each party will be solely responsible for paying the debts assigned to him or her and will hold the other harmless from those debts. The parties understand that the creditors are not bound by this judgment. If a creditor seeks payment from the party who is not listed as responsible for the debt, that party can file a motion to seek reimbursement from the defaulting party.

9. The court reserves jurisdiction to divide any community debts not listed here.

3. ☐ **Equalization of division of property and debt orders.** To equalize the division of the community property assets and debts, the ☐ petitioner ☐ respondent must pay to the other the sum of \$ \_\_\_\_\_, payable as follows (*specify*):

4. **Separate property**

a. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the petitioner:

b. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the respondent:

5. ☐ The settlement agreement between the parties dated \_\_\_\_\_ is attached and made a part of this judgment.

6. ☐ **Sale of property.** The following property will be offered for sale and sold for the fair market value as soon as a willing buyer can be found and the net proceeds from the sale will be: ☐ divided equally ☐ other (*specify*):

7. ☐ Other orders (*specify*):

8. ☐ This form ☐ does ☐ does not contain identifying information on the assets and debts listed.

## Assembly Bill No. 782

### CHAPTER 45

An act to repeal and add Section 2024.5 of, and to add Section 2024.6 to, the Family Code, relating to court records, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 7, 2004. Filed with  
Secretary of State June 7, 2004.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 782, Kehoe. Court records: family law.

Existing law generally recognizes court records as public records, unless a specific exception applies. Under existing law, one exception with respect to dissolution matters allows social security numbers of persons involved to be kept in the confidential portion of court files.

This bill would establish procedures for keeping the location or identifying information about the assets and liabilities of the parties in a dissolution matter sealed. The bill would require a related Judicial Council form to be revised no later than July 1, 2005, in accordance with those procedures and would make other related changes. The bill would also repeal the provision described above which allows social security numbers to be kept in a confidential portion of the court files. The bill would instead authorize a petitioner or respondent to redact social security numbers from pleadings, attachments, documents, or other material filed with the court, except as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2024.5 of the Family Code is repealed.

SEC. 2. Section 2024.5 is added to the Family Code, to read:

2024.5. (a) Except as provided in subdivision (b), the petitioner or respondent may redact any social security number from any pleading, attachment, document, or other written material filed with the court pursuant to a petition for dissolution of marriage, nullity of marriage, or legal separation. The Judicial Council form used to file such a petition, or a response to such a petition, shall contain a notice that the parties may redact any social security numbers from those pleadings, attachments, documents, or other material filed with the court.



(b) An abstract of support judgment, the form required pursuant to subdivision (b) of Section 4014, or any similar form created for the purpose of collecting child or spousal support payments may not be redacted pursuant to subdivision (a).

SEC. 3. Section 2024.6 is added to the Family Code, to read:

2024.6. (a) Upon request by a party to a petition for dissolution of marriage, nullity of marriage, or legal separation, the court shall order a pleading that lists the parties' financial assets and liabilities and provides the location or identifying information about those assets and liabilities sealed. The request may be made by ex parte application. Nothing sealed pursuant to this section may be unsealed except upon petition to the court and good cause shown.

(b) Commencing not later than July 1, 2005, the Judicial Council form used to declare assets and liabilities of the parties in a proceeding for dissolution of marriage, nullity of marriage, or legal separation of the parties shall require the party filing the form to state whether the declaration contains identifying information on the assets and liabilities listed therein. If the party making the request uses a pleading other than the Judicial Council form, the pleading shall exhibit a notice on the front page, in bold capital letters, that the pleading lists and identifies financial information and is therefore subject to this section.

(c) For purposes of this section, "pleading" means a document that sets forth or declares the parties' assets and liabilities, income and expenses, a marital settlement agreement that lists and identifies the parties' assets and liabilities, or any document filed with the court incidental to the declaration or agreement that lists and identifies financial information.

(e) The party making the request to seal a pleading pursuant to subdivision (a) shall serve a copy of the pleading on the other party to the proceeding and file a proof of service with the request to seal the pleading.

(f) Nothing in this section precludes a party to a proceeding described in this section from using any document or information contained in a sealed pleading in any manner that is not otherwise prohibited by law.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

It is necessary that this act take effect immediately as an urgency statute because the records that this act seeks to protect may disclose identifying information and location of assets and liabilities, thereby subjecting the affected parties and their children, as well as their assets



and liabilities, to criminal activity, violations of privacy, and other potential harm.

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